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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**DECLARATION**

As a below named inventor, I hereby declare that:

My residence, post office addresses, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

**TWO WAY COMPOSITE NITINOL ACTUATION**

The specification of which is filed herewith.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to in this declaration.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

None

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of

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Federal Regulations, Section 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

None

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor	:	Steven Walak
Inventor's signature	:	<u>Steven Walak</u>
Date	:	<u>11/3/2003</u>
Residence	:	5 Digren Road Natick, MA
Citizenship	:	USA
Post Office Address	:	same as above

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s): Steven Walak	Group Art Unit: Unassigned
Serial No.: Unassigned	Examiner: Unassigned
Filing Date: Herewith	
For: <b>TWO WAY COMPOSITE NITINOL ACTUATION</b>	

M.S. Patent Application  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**GRANT OF POWER OF ATTORNEY PURSUANT TO 37 C.F.R. § 3.71**

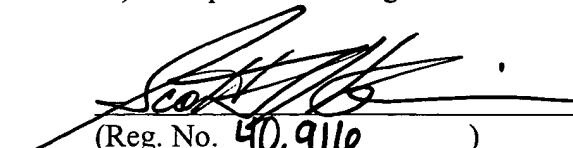
SIR:

Assignee hereby appoints: Charles R. Brainard (Reg. No. 21,069); John C. Altmiller (Reg. No. 25,951); Estelle J. Tsevdos (Reg. No. 31,145); Douglas E. Ringel (Reg. No. 34,416); Mark Neblett (Reg. No. 42,028); Neil McCarthy (Reg. No. 43,435); Fred Grasso (Reg. No. 43,644); Dianoosh Salehi (Reg. No. 46,352); Dalia Grimberg (Reg. No. 47,611); Teresa Lavenue (Reg. No. 47,737); Thomas Haag (Reg. No. 47,621); Elizabeth M. Wieckowski (Reg. No. 42,226); Brian E. Hennessey (Reg. No. 51,271); Joseph A. Coppola (Reg. No. 38,413); W. David Wallace (Reg. No. 42,210); Zeba Ali (Reg. No. 51,392); Peter J. Gafner (Reg. No. 36,517); Luke R. Dohmen (Reg. No. 36,783); Albert K. Kau (Reg. No. 40,672); Robert M. Rauker (40,782); Scott Bluni (Reg. No. 40,916); Todd P. Messal (Reg. No. 42,883); Steven A. McAuley (Reg. 46,084); and William J. Shaw (Reg. No. 43,111) to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith. All previous Powers of Attorney in connection with this application are hereby revoked. Please send all correspondence to Customer No. 23838.

and direct all phone calls to Douglas E. Ringel at (202) 220-4200.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

November 3, 2003  
Date

  
(Reg. No. 40,916)  
Assistant Secretary

*on behalf of:*  
SCIMED Life Systems, Inc.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s): Steven Walak  
Serial No.: Unassigned  
Filing Date: Herewith  
For: **TWO WAY COMPOSITE  
NITINOL ACTUATION**

Group Art Unit: Unknown  
Examiner: Unknown

M.S. Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 222313-1450

**CERTIFICATE UNDER 37 C.F.R. § 3.73(b)**

**SCIMED Life Systems, Inc.**, a corporation, certifies that it is the assignee of the entire right, title, and interest in the United States patent application identified above by virtue of an assignment from Steven Walak. The assignment is being submitted to the United States Patent and Trademark Office for recordation, and a copy of the assignment and the recordation cover sheet are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

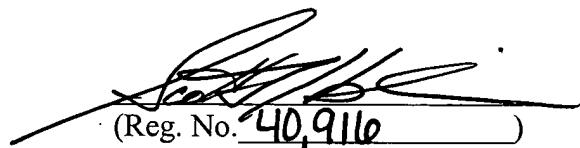
The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are

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punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

November 3, 2003  
Date



(Reg. No. 40,910)  
Assistant Secretary

*on behalf of:*  
SCIMED Life Systems, Inc.